

2006 NOV 20 A 10:49

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November 17, 2006

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CLIENT/MATTER NUMBER
026985 0101

VIA HAND DELIVERY

Mr. Jeff S. Jordan, Esq.
Supervisory Attorney
Complaints Examination & Legal
Administration
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Re: MUR 5875

Dear Mr. Jordan:

Please find enclosed the Statements of Designation of Counsel designating the undersigned to represent the respective named Respondents in the above-referenced MUR.

However, in reviewing the complaint filed in MUR 5875, it is clear from the face of the MUR that the complaint should be dismissed for at least two (2) reasons:

First, the complaint does not comply with the provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"), specifically the requirements of 2 U.S.C. §437g(a)(1) and 18 U.S.C. §1001. No action can be taken on a complaint not properly constituted, which this complaint is not.

Further, the complaint *on its face* acknowledges that the separate segregated fund of the National Rifle Association paid for the website communications at issue. The NRA Political Victory Fund ("NRA-PVF") paid for the communications, which is a matter of public record in the NRA-PVF's reports filed with the Federal Election Commission. NRA-PVF is permitted to make the types of referenced public communications via a website paid from NRA-PVF funds.

For the reasons above stated no further action can or should be taken in this matter. Further, please be advised that my clients will not respond further to this 'complaint' which fails to comport with the requirements of the Act.

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FOLEY & LARDNER LLP

Mr. Jeff S. Jordan, Esq.

November 17, 2006

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Sincerely,

A handwritten signature in cursive script that reads 'Cleta Mitchell'.

Cleta Mitchell, Esq.

Counsel for NRA and NRA-PVF

Enclosures

cc: Ms. Mary Rose Adkins, Treasurer - NRA PVF
Mr. Robert Dowlut, General Counsel - NRA

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999 E Street, NW
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STATEMENT OF DESIGNATION OF COUNSEL
Please use one form for each Respondent/Witness
FAX (202) 219-3923

MUR: 5875

COUNSEL: Cleta Mitchell

FIRM: Foley & Lardner, LLP

ADDRESS: 3000 K Street, NW-Suite 500, Washington, DC 20007

TELEPHONE - OFFICE: (202) 295-4081

FAX: (202) 672-5399

The above-named individual is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

11-17-2006
Date

Mary Rose Adkins
Signature
Mary Rose Adkins

Treasurer
Title

RESPONDENT/WITNESS NAME (PRINT): National Rifle Association Political Victory Fund

MAILING ADDRESS: 11250 Waples Mill Road

Fairfax, VA 22030

TELEPHONE - HOME: ()

OFFICE: (703) 267-1250

Information is being sought as part of an investigation being conducted by the Federal Election Commission and the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) apply. This section prohibits making public any investigation conducted by the Federal Election Commission without the express written consent of the person under investigation.

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MUR: 5875
COUNSEL: Cleta Mitchell
FIRM: Foley & Lardner, LLP
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FAX: (202) 672-5399

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16 Nov. 2006 Robert Dowlut General Counsel
Date Signature Title
Robert Dowlut

RESPONDENT/WITNESS NAME (PRINT): National Rifle Association
MAILING ADDRESS: 11250 Waples Mill Road
Fairfax, VA 22030
TELEPHONE - HOME: ()
OFFICE: (703) 267-1250

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